

**REMARKS**

As a preliminary matter, Applicant wishes to note the amendments to claims 25 and 35. The amendments correct minor typographical errors, and do not add new matter.

The Examiner rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over Rahrer in view of Lennig and Emery. Applicant disagrees and traverses the rejection.

Claim 1 is directed to a method that facilitates the voice-based selection of a desired remote party based on the geographical position of the mobile communications device making the call. As called out by claim 1, speech recognition logic in the mobile device compares a user's voice input to a set of speech patterns stored in the device. The comparisons yield a set of possible matches, each with a confidence measure that indicates how closely the stored speech pattern matches the user input. Because there may be more than one possible match, the mobile device weights the confidence measures (i.e., alters the confidence measures) based on its own geographic position. The entry with the greatest confidence measure (modified according to the device's current geographical position) is selected and called.

The Examiner admits that Rahrer fails to teach or suggest modifying confidence measures according to the geographic position of the mobile device, and falls to Lennig and Emery in an attempt to remedy this deficiency. However, neither reference teaches or suggests this aspect of claim 1.

Lennig, for example, discloses a network-based directory assistance center that receives speech input from a calling party. The center uses the speech input and a locality to provide the calling party with a corresponding phone number, but never suggests using the locality to modify any confidence measures associated with a list of possible matches. Rather, Lennig uses the NPA-NXX of the calling party to predict a priori where the caller might wish to be directed. That is, the directory assistance center uses the calling party's calling area to produce a possible "pool" of potential called parties. Determining the potential pool is done before any speech input regarding a desired called party is ever requested by the directory assistance

center. *E.g.*, *Lennig*, Fig. 3A, step 305. Therefore, the locality in *Lennig* has no bearing on any confidence measures in *Lennig*. It simply limits the universe of parties upon which the network-based center must search.

Emery also discloses a network-based speech recognition system (i.e., a switching system) that routes calls based on the speech input of a calling party and a location ID. However, the location ID of Emery is not the geographical position of the calling party. In contrast, it is a current location identifier associated with the terminating device (i.e., the called party). Moreover, any use of the location ID in Emery occurs after a match has been found (i.e., the called party has been selected). *Emery*, col. 15, ln. 63 – col. 16, ln. 8. Where multiple matches are found, Emery teaches allowing the calling party to select an entry, or playing back the spelling of an entry to the user for user selection. *Emery*, col. 15, ll. 53-62. Neither course of action even suggests using the geographical position of the calling mobile device to alter any confidence measures.

Simply put, neither *Lennig* nor Emery teach or suggest altering confidence measurements provided by a speech recognition circuit based on the geographical position of the mobile device. This fact, coupled with the Examiner's admission regarding *Rahrer*, necessarily means that the §103 rejection of claim 1 fails as a matter of law.

In addition, however, the §103 rejection fails for another reason. Specifically, the references cannot be combined to produce the invention of claim 1 as the Examiner asserts. *Rahrer* teaches selecting an entry from a multiple list of entries to determine which record has the highest confidence metric. This, according to *Rahrer*, is based on the voice input provided by the user. *Lennig* produces a pool of potential candidates before the user provides voice input. At best, combining the two references would simply limit the number of entries on which the device of *Rahrer* must operate. It still would not produce a device that uses the geographical position of the mobile device to alter the confidence metrics of *Rahrer*. Adding Emery to the combination does nothing to rectify this deficiency. As stated above, location

identification in Emery is for the terminating device. Before using the location ID in Emery, identity of the called party has been already determined. This concept has no application in device such as the one disclosed by Rahrer.


Therefore, the cited references, alone or in combination, fail to teach or suggest claim 1. Accordingly, the §103 rejection fails.

The Examiner also rejected claims 25 and 42 under 35 U.S.C. §103 over the same references and for reasons similar to those stated above. However, both claims 25 and 42 contain language similar to that of claim 1. As such, the §103 rejections of claims 25 and 42 fail as a matter of law for reasons similar to those stated above.

In light of the foregoing remarks, Applicant respectfully requests the allowance of all pending claims.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.



Stephen A. Herrera  
Registration No.: 47,642

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P.O. Box 5  
Raleigh, NC 27602  
Telephone: (919) 854-1844